

**REMARKS**

Claims 1-5, 7 and 9-11 are all the claims pending in the application, prior to the present Amendment.

Claims 2 and 9 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite.

The Examiner states that the scope of claims 2 and 9 is vague because it is not clear exactly what method step of production is being claimed therein and how the hardness of the forging die material further limits the method step of the forging die production. The Examiner suggests that the main body of the claims be changed to --wherein the method further comprises selecting the forging die material having a Rockwell C hardness of 45 to 62--.

In response, applicant has amended claims 2 and 9 generally in accordance with the Examiner's proposal, and additionally have made further changes to improve the clarity of these claims.

In view of the above, applicant submits that claims 2 and 9 comply with the requirements of the second paragraph of 35 U.S.C. § 112 and, accordingly, requests withdrawal of this rejection.

The Examiner has set forth three rejections of the claims over prior art.

Each of the three rejections is identical to the Examiner's previous rejections of the claims over the cited prior art.

The three rejections are as follows:

Claims 1 and 5 have been rejected under 35 U.S.C. 102(b) as being anticipated by Cale (U.S. Patent No. 3,863,525).

Claims 2, 7 and 9 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Cale (U.S. Patent No. 3,863,525).

Claims 3 and 10 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Cale (U.S. Patent No. 3,863,525) in view of Nakamura (U.S. Patent No. 5,378,091).

The Examiner has not included claim 4 or 11 in the above rejections. In the Office Action Summary page, the Examiner states that claims 4 and 11 are objected to. However, the Examiner does not set forth any objection to claims 4 and 11.

Applicant believes the Examiner intended to state that claims 4 and 11 contain allowable subject matter, and are objected to because they depend from a rejected claim.

Accordingly, applicant has amended claim 1 by incorporating the subject matter of claim 4 into claim 1 and have canceled claim 11 which contains the same recitations of claim 4.

Applicant further notes that the Examiner responds to applicant's previous arguments for patentability over the prior art by stating that claim 1 should be further amended to positively define the production method including using the ball end mill of specifically claimed characteristics. The Examiner then sets forth a specific suggestion for amending claim 1. In response, applicant has amended claim 1 as proposed by the Examiner and has also added paragraphing.

In view of the above amendments to claim 1, applicant submits that each of the three prior art rejections have been overcome and, accordingly, requests withdrawal of each of these rejections.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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